

The Seventh Circuit concluded that Hickman had a medical condition that was medically equivalent to the impairment set forth in Listing 101.03. The Seventh Circuit reversed the judgment of the district court and remanded the case with instructions to enter judgment in Hickman's favor.

Statement as to How Hickman Differs From SSA's Interpretation of the Regulations

The Seventh Circuit based its findings on 20 CFR 416.926(b), which states, "[w]e will always base our decision about whether your impairment(s) is medically equal to a listed impairment on medical evidence only." However, we intended the phrase "medical evidence only" in this context only to exclude consideration of the vocational factors of age, education, and work experience. Other than such vocational factors, however, in accordance with 20 CFR 416.926(a), SSA considers all relevant evidence in the case record when it makes a finding on medical equivalence.⁴

The Seventh Circuit decision differs from SSA's national rule by requiring it to consider only a narrow definition of medical evidence, that is, evidence from medical sources, in determining medical equivalence and not permitting the use of other relevant evidence. The agency, on the other hand, interprets "medical evidence" broadly so as to include not just objective test results or other findings reported by medical sources, but other information about a claimant's medical conditions and their effects, including the claimant's own description of his or her impairments. Thus, the court's decision that medical equivalence is decided based solely on evidence from medical sources interprets the "medical evidence only" language of the regulation more narrowly than we intend.

Explanation of How SSA Will Apply The Hickman Decision Within the Circuit

This Ruling applies only to cases in which the claimant resides in Illinois, Indiana or Wisconsin at the time of the determination or decision at any level of administrative review; i.e., initial, reconsideration, ALJ hearing or Appeals Council review.

the same substantive rules." 62 FR 6408, February 11, 1997, at 6413.

⁴ In accordance with 20 CFR 416.926(a), SSA considers all relevant evidence in the case record when it makes a finding on medical equivalence. Although the companion regulation for title II, 20 CFR 404.1526(a), does not contain this language, SSA applies the same equivalency policy under both titles.

In determining medical equivalence, we will use only information obtained from health care professionals. We will not use any evidence from a source other than a health care professional in determining medical equivalence.

We intend to clarify the language at issue in this case at 20 CFR 404.1526 and 416.926 through the issuance of a regulatory change, and we may rescind this Ruling once we have clarified the regulations.

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DEPARTMENT OF STATE

[Public Notice 3304]

Amendment to Bureau of Educational and Cultural Affairs Request for Proposals: Small Grants Competition; Grassroots Citizen Participation in Democracy

SUMMARY: The Office of Citizen Exchanges, Bureau of Educational and Cultural Affairs of the U.S. Department of State announces the addition of Brazil to the Latin American geographic region for which proposals will be accepted.

The Small Grants Competition was announced on April 20, 2000 in the **Federal Register** (Volume 65, pg. 21061). The deadline for proposals is June 2, 2000.

ADDITIONAL INFORMATION: Interested organizations should contact Laverne Johnson, 202/619-5337; E-Mail ljohnson@usia.gov.

Dated: April 26, 2000.

Evelyn S. Lieberman,
Under Secretary for Public Diplomacy and Public Affairs, U.S. Department of State.

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DEPARTMENT OF STATE

[Public Notice 3306]

Bureau of Oceans and International Environmental and Scientific Affairs; Certifications Pursuant to Section 609 of Public Law 101-162

April 27, 2000.

SUMMARY: On April 25, 2000, the Department of State certified, pursuant to Section 609 of Public Law 101-162 ("Section 609"), that 16 nations have adopted programs to reduce the incidental capture of sea turtles in their shrimp fisheries comparable to the program in effect in the United States. The Department also certified that the

fishing environments in 25 other countries do not pose a threat of the incidental taking of sea turtles protected under Section 609. Shrimp imports from any nation not certified were prohibited effective May 1, 2000 pursuant to Section 609.

EFFECTIVE DATE: May 3, 2000.

FOR FURTHER INFORMATION CONTACT:

David Hogan, Office of Marine Conservation, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State, Washington, DC 20520-7818; telephone: (202) 647-2335.

SUPPLEMENTARY INFORMATION: Section 609 of Public Law 101-162 prohibits imports of certain categories of shrimp unless the President certifies to the Congress not later than May 1 of each year either: (1) that the harvesting nation has adopted a program governing the incidental capture of sea turtles in its commercial shrimp fishery comparable to the program in effect in the United States and has an incidental take rate comparable to that of the United States; or (2) that the fishing environment in the harvesting nation does not pose a threat of the incidental taking of sea turtles. The President has delegated the authority to make this certification to the Department of State. Revised State Department guidelines for making the required certifications were published in the **Federal Register** on July 2, 1999 (Vol. 64, No. 130, Public Notice 3086).

On April 25, 2000, the Department certified 16 nations on the basis that their sea turtle protection program is comparable to that of the United States: Belize, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Guyana, Indonesia, Mexico, Nicaragua, Nigeria, Panama, Suriname, Thailand, Trinidad and Tobago, and Venezuela. Honduras, certified on these grounds in 1998, did not retain their certification. Honduras failed to demonstrate that its regulations requiring the use of sea turtle excluder devices (TEDs) were being adequately enforced. The Department expects that Honduras will take steps necessary to regain certification in 2000.

The Department also certified 25 shrimp harvesting nations as having fishing environments that do not pose a danger to sea turtles. Sixteen nations have shrimping grounds only in cold waters where the risk of taking sea turtles is negligible. They are: Argentina, Belgium, Canada, Chile, Denmark, Finland, Germany, Iceland, Ireland, the Netherlands, New Zealand, Norway, Russia, Sweden, the United Kingdom, and Uruguay. Nine nations only harvest shrimp using small boats